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ENGLISH TRANSLATION  
OF THE ANNEXES TO THE  
INTERNATIONAL PRELIMINARY  
EXAMINATION REPORT

**English translation of the amendments under PCT Article 41 of the International Patent Application No. PCT/CH02/00707 "Intervertebral implant" in the name of Mathys Medizinaltechnik AG**

Patent Claims

1. Intervertebral implant (1), specifically an artificial intervertebral disk, with a central axis (2), an upper section (10), suitable for laying onto the base plate of a vertebral body lying above and a lower section (20) suitable for laying onto the cover plate of a vertebral body lying below, wherein

A) the upper section (10) is provided with a ventral side area (11), a dorsal side area (12), two lateral side areas (13,14), a top apposition surface (15) and a bottom surface (16);

B) the lower section (20) is provided with a ventral side area (21), a dorsal side area (22), two lateral side areas (23,24), a bottom apposition surface (25) and a top surface (26); wherein

C) the two sections (10;20) moveable in relation to each other by means of two joints (38;39) arranged between the two sections (10;20),

D) each of the joints (38;39) is provided with a swivel axle (3;4) and the two swivel axles (3;4) are arranged perpendicular to each other;

E) the two joints (38;39) are realised by means of an upper joint element (31) connected with the upper section (10), a central joint element (32) and a joint element (33) connected with the lower section (20);

F) one of the external joint sections (31;33) comprises at least one concave sliding surface (58) rotation-symmetrical with regard to a swivel axle (3;4); and

G) the central joint section (32) comprises at least one convex sliding surface (57) complementary to this concave sliding surface (58),

characterised in that

H) the other of the external joint sections (31;33) comprises at least one convex sliding surface (55) rotation-symmetrical with regard to the other swivel axle (3;4); and

I) the central joint section (32) comprises at least one concave sliding surface (56) complementary to this convex sliding surface (55),

**characterised in that**

K) the sliding surfaces (55;56;57;58) are configured as partial surface areas of circular cylindrical or circular conical surface areas; und

L) the swivel axes (3;4) are arranged skewed to each other.

2. Intervertebral implant (1) according to claim 1, characterised in that the lower joint element (33) comprises at least one lower concave sliding surface (58) rotation-symmetrical with regard to the first swivel axle (3) and the central joint section (32) at least one lower convex sliding surface (57) complementary to the lower concave sliding surface (58),.

3. Intervertebral implant (1) according to claim 1 or claim 2, characterised in that the upper joint element (31) comprises at least one upper convex sliding surface (55) rotation-symmetrical with regard to the second swivel axle (4) and the central joint section (32) at least one upper concave sliding surface (56) complementary to the upper convex sliding surface (55).

4. Intervertebral implant (1) according to one of the claims 1 to 3, characterised in that a means (40) is provided that keeps the two sections (10;20), measured at their ventral side areas (11;21), at a fixed distance from each other.

5. Intervertebral implant (1) according to one of the claims 1 to 4, characterised in that a means (40) is provided that is suitable for causing temporary blocking of the mobility of the two sections (10,20) around the joints (38;39).

6. Intervertebral implant (1) according to claim 4 or claim 5, characterised in that the means (40) can be attached to the two ventral side areas (11,21) of the two sections (10;20).

7. Intervertebral implant (1) according to one of the claims 4 to 6, characterised in that the means (40) an insert (41) with a lower end (45) ~~and an upper end (46) and a~~ depression (42;43) in the surfaces (16;26) at each of the two sections (10;20), which are open on the ventral side areas (11;21), and that the insert (41) with its ends (45;46) can be inserted into each of the depressions (42;43).

8. Intervertebral implant (1) according to claim 7, characterised in that the depressions (42;43) are dovetail guides and the ends (45;46) on the insert (41) are arranged complementary to these dovetail guides.
9. Intervertebral implant (1) according to claim 8, characterised in that the dovetail guides are tapered from the ventral side areas (11;21) towards the dorsal side areas (12;22).
10. Intervertebral implant (1) according to one of the claims 1 to 9, characterised in that the upper and the lower section (10;20) each comprises at least two drill holes (80) running through from the ventral side areas (11;21) to the apposition surfaces (15;25) with longitudinal axes (83) for receiving bone fixation devices (81).
11. Intervertebral implant (1) according to claim 10, characterised in that the longitudinal axes (83) of the drill holes (80) make an angle  $\gamma$  with the central axis (2).
12. Intervertebral implant (1) according to claim 11, characterised in that the angle  $\gamma$  lies in a range of between 20° and 65°.
13. Intervertebral implant (1) according to one of the claims 10 to 12, characterised in that the longitudinal axes (83) of the drill holes (80) as seen from the ventral side areas (11;21) diverge from the inner surfaces (16;26) against the apposition surfaces (15;25).
14. Intervertebral implant (1) according to one of the claims 10 to 13, characterised in that the drill holes (80) are conically tapered towards the apposition surfaces (15;25).
15. Intervertebral implant (1) according to one of the claims 10 to 14, characterised in that the drill holes (80) are provided with an internal thread (82).
16. Process for the replacement of a defect, natural intervertebral disk characterised by an intervertebral implant, with the steps:
  - A) blocking of the joint(s) (38;39) of an intervertebral implant (1) through the special means (40) in a certain position of the joint(s) (38;39);
  - B) insertion of the intervertebral implant (1) into the intervertebral space to be treated;

C) release and removal of the device (40) inserted into the intervertebral implant (1) for blocking the joint(s) (38;39).

17. Process according to claim 16, characterised in that it additionally comprises the subsequent blocking of the joint(s) (38;39) on the implanted intervertebral implant (1) through the means (40).